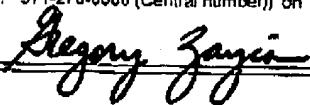


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## CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence, totaling four (4) pages including recited attachments, is being facsimile transmitted to the United States Patent and Trademark Office at facsimile no.: 571-273-6900 (Central number) on the below date:

Date: January 12, 2007 Name: Gregory H. Zavia - Reg. No. 48,059 Signature: BRINKS  
HOFER  
GILSON  
& LIONE

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appn. of: Andrew E. Kirsteins

Appn. No.: 10/672,745

Filed: September 26, 2003

For: Subcutaneous Insertion Devices and  
Methods for Stimulating Subcutaneous  
Regions of Patients

Attorney Docket No: 11992/3

Examiner: Victor X. Nguyen

Art Unit: 3734

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

## TRANSMITTAL

## Attached is/are:

 Transmittal (in duplicate); Response to Restriction Requirement and Election

## Fee calculation:

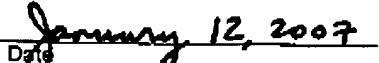
 No additional fee is required. Small Entity. An extension fee in an amount of \$ \_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a). A petition or processing fee in an amount of \$ \_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_\_.) An additional filing fee has been calculated as shown below

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Small Entity		Not a Small Entity		
					Rate	Add'l Fee	or	Rate	
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

## Fee payment:

 A check in the amount of \$ \_\_\_\_\_ is enclosed. Please charge Deposit Account No. 23-1925 in the amount of \$ \_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose. Payment by credit card in the amount of \$ \_\_\_\_\_. (Form PTO-2038 is attached). The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

  
Date: January 12, 2007

Gregory H. Zavia (Reg. No. 48,059)

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GILSONBRINKS HOFER GILSON & LIONE  
NBC Tower – Suite 3600, 455 N. Cityfront Plaza Drive, Chicago, IL 60611-5599

PAGE 1/4 \*RCVD AT 1/12/2007 3:41:22 PM [Eastern Standard Time]\* SVR:USPTO-EFXRF-1/3\* DNIS:2738300\* CSID:13123214299\* DURATION (mm:ss):02:00

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Date: January 12, 2007 Name: Gregory H. Zavias - Reg. No. 48,059 Signature: Gregory ZaviasBRINKS  
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& LIONE

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Andrew E. Kirsteins

Appln. No.: 10/672,745

Filed: September 26, 2003

For: Subcutaneous Insertion Devices and  
Methods for Stimulating Subcutaneous  
Regions of Patients

Examiner: Victor X. Nguyen

Art Unit: 3734

Attorney Docket No: 11992/3

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

## TRANSMITTAL

Attached is/are:

 Transmittal (in duplicate); Response to Restriction Requirement and Election

Fee calculation:

 No additional fee is required. Small Entity. An extension fee in an amount of \$ \_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a). A petition or processing fee in an amount of \$ \_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_). An additional filing fee has been calculated as shown below:

	Claims Remaining After Amendment	Minus	Highest No. Previously Paid For	Present Extra	Small Entity		Not a Small Entity	
					Rate	Add'l Fee	or	Rate
Total		Minus			x \$25=		x \$50=	
Indep.		Minus			x 100=		x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=		+\$360=	
					Total	\$	Total	\$

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Respectfully submitted,

January 12, 2007Gregory H. Zavias

Gregory H. Zavias Reg. No. 48,059

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NBC Tower – Suite 3600, 455 N. Cityfront Plaza Drive, Chicago, IL 60611-5599BRINKS  
HOFER  
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January 12, 2007Gregory H. Zavia - Registration No. 48,059Name of Applicant, Assignee or  
Registered RepresentativeGregory Zavia

Signature

January 12, 2007

Date of Transmission

Our Case No. 11992/3**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)
Andrew E. Kirsteins	)
Serial No. 10/672,745	) Examiner Victor X. Nguyen
Filing Date: September 26, 2003	) Group Art Unit No. 3734
For: Subcutaneous Insertion Devices and Methods for Stimulating Subcutaneous Regions of Patients	)

**RESPONSE TO RESTRICTION REQUIREMENT AND ELECTION**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Responsive to the Restriction Requirement mailed December 12, 2006, Applicant respectfully requests entry of the following remarks, which begin on page 2 of this communication.